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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Dennis O'Brien and Carl Yee
Application No.:	10/725178
Filed:	December 1, 2003
For:	Cutting Balloon Having Sheathed Incising Elements
Examiner:	Vy Q. Bui
Group Art Unit:	3711

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Docket No.: S63.2-13172-US01

## FACSIMILE TRANSMITTAL LETTER

TO: Examiner Vy Q. Bui  
FACSIMILE NO.: 571-273-8300  
GROUP ART UNIT: 3711  
TOTAL NUMBER OF PAGES (including cover letter): 12

DATE: March 17, 2006  
TIME: 3:12 pm

Following please find a 1 page Revocation of Power of Attorney and Appointment of New Attorney, 1 page Assignee's Statement of Ownership 37 CFR 3.73(B), and 9 page copy of Assignment documents in addition to this 1 page Facsimile Transmittal Letter.

If a fee is required, Commissioner of Patents is hereby authorized to charge Deposit Account No. 22-0350 for any required fees. To the extent that any petition is required to consider this communication, please treat this as such a petition.

Respectfully Submitted,

VIDAS, ARRETT &amp; STEINKRAUS, P.A.

Date: March 17, 2006

By: Jennifer L. Buss  
Jennifer L. Buss  
Reg. No. 57321

6109 Blue Circle Drive, Suite 2000  
Minnetonka, MN 55343-9185  
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## Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300, on March 17, 2006.

Signature: Beth M. DeChene

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Docket No: S63.2B-13172-US01

REVOCATION OF POWER OF ATTORNEY AND  
APPOINTMENT OF NEW ATTORNEY

I hereby revoke all powers of attorney or authorizations of agent previously given in the above identified application and I hereby appoint all practitioners of Customer Number 490 to prosecute and transact all business in the Patent and Trademark office connected therewith.

Please note the new Attorney Docket No. for this file is S63.2-13172-US01.

Please address all future correspondence to Jennifer L. Buss at Customer Number 490.

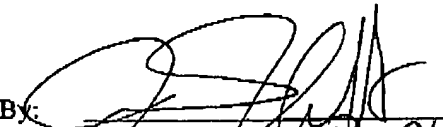
I am the:

- ☐ Applicant/Inventor
- ☒ Assignee of Record of the entire interest.  
*Certificate Under 37 CFR 3.73(b) is enclosed.*

Respectfully submitted,

BOSTON SCIENTIFIC SCIMED, INC.

Date: 3/14/06

By:   
Name: Samuel R. Chiappetta  
Title: Senior Patent Counsel

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dennis O'Brien and Carl Yee  
Application No.: 10/725178  
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Alexandria, VA 22313-1450

## ASSIGNEE'S STATEMENT OF OWNERSHIP 37 CFR 3.73(B)

Boston Scientific Scimed, Inc., formerly known as Scimed Life Systems, Inc., a corporation is the assignee of the entire right, title and interest in the patent application identified above by virtue of a chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From : Dennis O'Brien and Carl Yee  
To: Scimed Life Systems, Inc.  
The document was recorded in the Patent and Trademark Office at Reel 015071, Frames 0447-0452, or for which a copy thereof is attached.
2. From : Scimed Life Systems, Inc.  
To: Boston Scientific Scimed, Inc.  
By a change of name as stated in the Articles of Merger of Boston Scientific Scimed, Inc. With and Into Scimed Life Systems, Inc., dated December 22, 2004.

Copies of assignments or other documents in the chain of title are attached.

The undersigned is empowered to sign this statement of ownership certificate on behalf of the assignee.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: March 17, 2006

By: Jennifer L. Buss  
Jennifer L. Buss  
Registration No.: 57321

6109 Blue Circle Drive, Suite 2000  
Minnetonka, MN 55343-9185  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEPTEMBER 02, 2004

PTAS



\*102696714A\*

NYDEGGER & ASSOCIATES  
NEIL K. NYDEGGER  
348 OLIVE STREET  
SAN DIEGO, CA 92103UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/15/2004

REEL/FRAME: 015071/0447  
NUMBER OF PAGES: 6BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 10745.155ASSIGNOR:  
O'BRIEN, DENNIS

DOC DATE: 11/12/2003

ASSIGNOR:  
YEE, CARL

DOC DATE: 11/07/2003

ASSIGNEE:  
SCIMED LIFE SYSTEMS, INC.  
ONCE SCIMED PLACE  
MAPLE GROVE, MINNESOTA 55311

SERIAL NUMBER: 10725178

FILING DATE: 12/01/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: CUTTING BALLOON HAVING SHEATHED INCISING ELEMENTS

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NYDEGGER &amp; ASSOC

015071/0447 PAGE 2

HUONG TON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

PATENT

ASSIGNMENT

We, Dennis O'Brien, residing at 5040 Bella Collina Street, Oceanside, California 92056, and Carl Yee, residing at 2025 Felton Street, San Diego, California 92104, have invented a method and apparatus entitled "CUTTING BALLOON HAVING SHEATHED INCISING ELEMENTS," hereinafter called the "invention."

Preferred embodiments of said invention are disclosed in a United States patent application executed concurrently herewith by us and now identified as File No. 10745.155 of the law firm of Nydegger & Associates, 348 Olive Street, San Diego, California 92103, and filed in the United States Patent and Trademark Office as Serial No. 10/ 725,178 on December 1, 2003. (We hereby authorize the attorneys of Nydegger & Associates to insert said serial number and filing date when known.)

The Assignee, Scimed Life Systems, Inc., a corporation of the State of Minnesota, having a principal place of business at One Scimed Place, Maple Grove, Minnesota 55311, desires to secure the entire right, title and interest in said invention.

For good and valuable consideration paid to us by the Assignee, the receipt and sufficiency of which we hereby acknowledge, WE HEREBY ASSIGN TO THE ASSIGNEE:

The entire right, title and interest in said invention in the above-identified United States patent application and in all divisions and continuations of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and foreign countries.

The right to file foreign patent applications on said invention in its own name, wherever such right may be legally exercised, including the right to claim the benefits of the International Convention for such applications.

We hereby authorize and request the United States Commissioner of Patents and Trademarks, and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all patents on said invention to the Assignee as the owner of the entire interest, for the sole use and behoof of the said assignee, its successors, assigns and legal representatives.

We hereby agree, without further consideration and without expense to us, to sign all lawful papers and to perform all other lawful acts which the Assignee may request of us to make this Assignment fully effective, including, by way of example but not of limitation, the following:

Prompt execution of all original, divisional, substitute, reissue, and other United States and foreign patent applications on said invention, and all lawful documents requested by the Assignee to further the prosecution of any of such patent applications.

Cooperation to the best of our ability in the execution of all lawful documents, the production of evidence, nullification, reissue, extension, or infringement proceedings involving said invention.

This assignment and agreement shall be binding upon our heirs and legal representatives.

Dennis O'Brien  
Dennis O'Brien

**ACKNOWLEDGMENT**

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF Riverside )

On November 12, 2003, before me, STEPHANIE SELL, Notary Public, personally appeared DENNIS O'BRIEN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Stephanie Sell (Seal)



Carl Yee  
Carl Yee

**ACKNOWLEDGMENT**

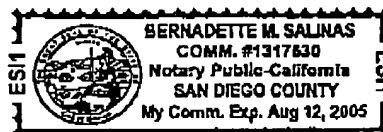
STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF San Diego )

On November 7, 2003, before me, Bernadette M. Salinas, Notary Public, personally appeared Carl Yee, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Bernadette M. Salinas (Seal)

assignment:ddb  
Docket: 10745.155





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03-17-2004



102696714

&amp; ASSOCIATES

PATENT

NEIL K. NYDEGGER

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348 OLIVE STREET  
SAN DIEGO, CALIFORNIA 92103

TELEPHONE  
(619) 688-1300  
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(619) 688-1322

email@nydegger.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: O'Brien et al.  
Serial No.: 10/725,178  
Filed: December 1, 2003  
For: CUTTING BALLOON HAVING  
SHEATHED INCISING ELEMENTS  
Examiner: Unknown  
Attorney Docket: 10745.155

Art Unit  
3711

FINANCE SECTION

MAR 15 AM 11:47

OFFICE OF PUBLIC RECORDS

TRANSMITTAL OF ASSIGNMENT

Mail Stop Assignment Recordation Services  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please record the enclosed original patent Assignment in the United States Patent and Trademark Office.

- Name of conveying party(ies):

Dennis O'Brien  
5040 Bella Collina Street  
Oceanside, California 92056

03/16/2004 ESETRCH 00000125 10725178

01 FC:8021

40.00 OP

Director of the U.S. Patent and Trademark Office  
Page 2

Carl Yee  
2025 Felton Street  
San Diego, California 92104

2. Name and address of receiving party(ies):

Scimed Life Systems, Inc.  
Once Scimed Place  
Maple Grove, Minnesota 55311

3. Nature of conveyance: Assignment

Execution Date: November 7, 2003; November 12, 2003

4. Application number(s) or patent number(s):

Patent Application No. 10/725,178

5. Name and address of party to whom correspondence concerning document should be mailed:

NEIL K. NYDEGGER  
NYDEGGER & ASSOCIATES  
348 Olive Street  
San Diego, California 92103  
Telephone: (619) 688-1300

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41): \$40.00

X Enclosed Check No. 16735

\_\_\_ Authorized to be charged to deposit account

8. Deposit account number: 14-1519

Director of the U.S. Patent and Trademark Office  
Page 3

9. Statement and signature.

The undersigned declares that, to his best knowledge and belief, the information contained in this Transmittal of Assignment is correct, and that any attached copy of the Assignment is a true copy of the original document.

DATED this 17<sup>th</sup> day of March, 2004.

Respectfully submitted,

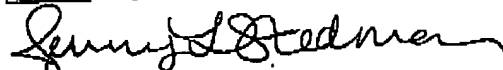


NEIL K. NYDEGGER  
Attorney for Applicant  
Registration No. 30,202

NYDEGGER & ASSOCIATES  
348 Olive Street  
San Diego, California 92103  
Telephone: (619) 688-1300

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Assignment Recordation Services, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17<sup>th</sup> day of March, 2004.



JENNY L. STEDMAN  
Legal Document Assistant

NYDEGGER & ASSOCIATES  
348 Olive Street  
San Diego, California 92103  
Telephone: (619) 688-1300

Transmitted: Assignment for Recordation; Check.

12/22/04 WED 08:32 FAX 612 340 8738

DORSEY WHITNEY LLP

005

4I-1170

**ARTICLES OF MERGER OF  
BOSTON SCIENTIFIC SCIMED, INC.  
WITH AND INTO  
SCIMED LIFE SYSTEMS, INC.**

Pursuant to Minnesota Business Corporation Act, Section 302A, the undersigned, Boston Scientific Scimed, Inc., a Minnesota corporation ("BSS"), and Scimed Life Systems, Inc., a Minnesota corporation ("Scimed Life"), hereby adopt the following Articles of Merger for the purpose of merging BSS with and into Scimed Life, with Scimed Life being the surviving corporation.

1. The Agreement and Plan of Merger between BSS and Scimed Life dated as of December 15, 2004 (the "Merger Agreement"), as required by Minnesota Business Corporation Act, Section 302A.615, subdivision 1, is attached hereto as Exhibit I.

2. The Board of Directors and sole shareholder of BSS approved the Merger Agreement in a joint written action dated as of December 15, 2004 pursuant to Minnesota Business Corporation Act, Section 302A.613.

3. The Board of Directors and all of the shareholders of Scimed Life approved the Merger Agreement in a joint written action dated as of December 15, 2004 pursuant to Minnesota Business Corporation Act, Section 302A.613.

4. The name of the surviving corporation shall be Boston Scientific Scimed, Inc.

5. The merger shall be effective upon the later of 12:01 a.m. on January 1, 2005 or the filing of these Articles of Merger with the Secretary of State of the State of Minnesota.

IN WITNESS WHEREOF, BSS and Scimed Life have caused these Articles of Merger to be executed by their respective officers thereunto duly authorized this 22 day of December, 2004.

**BOSTON SCIENTIFIC SCIMED, INC.****SCIMED LIFE SYSTEMS, INC.**By: 

Paul A. LaViolette  
Chief Executive Officer and President

By: 

Paul W. Sandman  
Chief Executive Officer

l:\mins\mins\SMLS\Articles of Merger BSS SMLS

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